

PTO/SB/26 (09-04)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
2835 US2P

In re Application of: A. Fujishima

Application No.: 10/655,114

Filed: September 4, 2003

For: Benzimidazole Compound Crystal

The owner, Takeda Chemical Industries Limited, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,462,058 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☐ The undersigned is an attorney or agent of record. Reg. No. _____

Signature

December 15, 2004

Date

Dr. Hiroshi Akimoto

Typed or printed name

81-(0)6-6300-8892
Telephone Number

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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